

**CLARK COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT
DEVELOPMENT SERVICES**

**STAFF ANALYSIS
& RECOMMENDATION**

HEARING DATE:
September 10, 2009

DEVELOPMENT NAME:
BFI SUBDIVISION

CASE NUMBERS:
PLD2009-00029, SEP2009-00052

TYPE III DEVELOPMENT & ENVIRONMENTAL REVIEW, STAFF REPORT & RECOMMENDATION

Form DS1402 PLD



Project Name: BFI SUBDIVISION

Case Number: PLD2009-00029, SEP2009-00052

Location: 21605 NE 83rd Street

Request: The applicant proposes to subdivide approximately 30 acres into 6 single-family residential lots in the R-5 zoning district using the rural cluster development standards, CCC 40.210.020 (D).

Applicant: BFI Properties, LLC
P. O. Box 822799
Vancouver, WA 98682
(360) 281-6864, E-mail: bfillc@yahoo.com

Contact Person: Minister & Glaeser Surveying, Inc.
Attn: Chris Avery
2200 E. Evergreen Blvd.
Vancouver, WA 98661
(360) 694-3313, E-mail: csa@mgsurvey.com

Property Owner: (Same as Applicant)

RECOMMENDATION

Approved, subject to Conditions

Team Leader's Initials: ATG **Date Issued:** August 26, 2009

County Review Staff:

	<u>Name</u>	<u>Phone Ext.</u> <u>(360) 397-2375</u>	<u>E-mail Address</u>
Team Leader:	Travis Goddard	4130	Travis.goddard@clark.wa.gov
Planner:	Michael Uduk		
Wetland Biologist:	Brent Davis	4152	Brent.Davis@clark.wa.gov
Engineer Supervisor: (Trans. & Stormwater):	Sue Stepan, P.E.	4102	sue.stepan@clark.wa.gov
Engineer (Trans. & Stormwater):	Doug Boheman, P.E, PLS	4219	Doug.boheman@clark.wa.gov
Engineering Supervisor: (Trans. Concurrency):	Steve Schulte, P.E.	4017	Steve.schulte@clark.wa.gov
Engineer (Trans. Concurrency):	David Jardin	4354	David.jardin@clark.wa.gov
Fire Marshal Office	Tom Scott	3323	Tom.scott@clark.wa.gov

Comp Plan Designation: Rural 5 (R-5)

Parcel Number(s): Tax Lot 9 (168154) located in the SW ¼, of Section 4, Township 2 North, Range 3 East, of the Willamette Meridian.

Applicable Laws:

Clark County Code (CCC) Chapter: 40.350 (Transportation), 40.350.020 (Transportation Concurrency), 40.380 (Storm Water Drainage and Erosion Control), 15.12 (Fire Code), 40.540.040 (Land Division, Subdivisions), 40.610 (Impact Fees), 40.210.020 (Rural Districts, R-5), 40.210.020 (D) (Rural Cluster Development), 40.500 (Procedure), RCW 58.17 (State Platting Laws)

Neighborhood Association/Contact:

Proebstel Neighborhood Association
Wendy Garrett, President
3021 NE 72nd Drive, Suite 9
Vancouver, WA 98661
(360) 253-9659, E-mail: Proebstelnawendy@yahoo.com

Vesting:

An application is reviewed against the subdivision, zoning, transportation, stormwater and other land development codes in effect at the time a fully complete application for preliminary approval is submitted. If a pre-application conference is required, the

application shall earlier contingently vest on the date the fully complete pre-application is filed. Contingent vesting requires that a fully complete application for substantially the same proposal is filed within 180 calendar days of the date the county issues its pre-application conference report.

A pre-application conference on this matter was held on April 2, 2009. The pre-application was determined [not contingently vested/to be contingently vested as of March 12, 2009.

The fully complete application was submitted on June 12, 2009; and, determined to be fully complete on June 26, 2009. Given these facts the application is vested on March 12, 2009. There are no disputes regarding vesting in this matter.

Time Limits:

The application was determined to be fully complete on June 26, 2009, (see Exhibit No. 7). Therefore, the County Code requirement for issuing a decision within 92 days lapses on September 26, 2009. The State requirement for issuing a decision within 120 calendar days, lapses on October 24, 2009.

Public Notice:

Notice of application and public hearing was mailed to the applicant, the Proebstel Neighborhood Association and property owners within 300 feet of the site on July 8, 2009. One sign was posted on the subject property and two within the vicinity on August 26, 2009.

Public Comments:

Comments were received from Mr. Jeff Mathena (see Exhibit 12). Mr. Mathena's letter raised driveway issues that are addressed by Development Engineering Staff in the Transportation section of this report.

Project Overview

The applicant proposes to subdivide approximately 30 acres into 6 residential lots in the R-5 zoning district using the rural cluster development standards in CCC 40.210.020 (D). The rural cluster development provides small lot residential development in the R-5 district, which maintains rural character, maintains and conserves larger remainder parcels, protects and / or enhances sensitive environmental and wildlife habitat areas, and minimizes potential impacts to public services. The rural cluster development allows the placement of homes on a small portion of the property while maintaining the majority of the site in a remainder parcel. The rural cluster development is an innovative development technique that conserves open space and resource lands. (See CCC 40.210.020 (D)

Ordinarily, the R-5 district requires a minimum lot area of 5 acres for single-family residential development. The district also permits several other uses outright, conditionally and by review and approval (R/A). (See Table 40.220.020-1, Uses, and Table 40.220.020-2, Lot Requirements for details)

Table 1 below shows the comprehensive plan designation, zoning, and current land use on the site and on the abutting properties:

Table 1: Comprehensive Plan, Zoning and Current Land Use

Compass	Comp Plan	Zoning	Current Land Use
Site	Rural – 5 (R-5)	Rural – 5 (R-5)	A large acreage home site with mostly open range land and scattered second growth trees along the eastern fifth of the site.
North	R-5	R-5	NE 83 rd Street and a large open range land with some second growth trees along the western section of NE 212 th Avenue.
East	R-5	R-5	A narrow acreage home site.
South	R-5	R-5	Two acreage home sites.
West	R-5	R-5	NE 217 th Avenue and acreage home sites.

The USDA Soil Conservation Service, Soil Survey of Clark County, Washington, 1972, classifies the soils at this site as those of Hockinson loam, moderately well drained (HuB) and Hesson clay loam, (HcB) on slopes ranging from zero to 8 percent. Maps from Clark County's GIS Mapping System do not indicate that the site contains any critical areas.

The property is located rural Clark County. It is situated in an area served by Fire Protection District 5, and Evergreen School District. Clark Public Utilities provides potable water in the area; but, the development will use individual well on each lot for potable water supply and on-site septic systems will serve each lot.

Staff Analysis

Staff first analyzed the proposal in light of the 16 topics from the Environmental Checklist (see list below). The purpose of this analysis was to identify any potential adverse environmental impacts that may occur without the benefit of protection found within existing ordinances.

- | | |
|---------------------------------|--|
| 1. Earth | 9. Housing |
| 2. Air | 10. Aesthetics |
| 3. Water | 11. Light and Glare |
| 4. Plants | 12. Recreation |
| 5. Animals | 13. Historic and Cultural Preservation |
| 6. Energy and Natural Resources | 14. Transportation |
| 7. Environmental Health | 15. Public Services |
| 8. Land and Shoreline Use | 16. Utilities |

Staff then reviewed the proposal for compliance with applicable code criteria and standards in order to determine whether all potential impacts could be mitigated through application of the code.

Staff's analysis also reflects review of agency and public comments received during the comment period, and knowledge gained through a site visit.

Major Issues:

Only the major issues, errors in the development proposal, and/or justification for any conditions of approval are discussed below. Staff finds that all other aspects of this proposal not discussed below comply with the applicable code requirements.

LAND USE:

Finding 1

The applicant is proposing a cluster development a 6 lot rural cluster subdivision of approximately 30 acres zoned R-5. The R-5 district provides for a 5 acre home site; but it also provides for cluster development whereby a property owner could develop housing on smaller a lot while leaving a larger piece of the property for agricultural or natural resource use.

A cluster development allows the maximum density that would be permitted per the minimum lot area standard in the R-5 district, which provides that one single-family dwelling should occupy 5 acres. The density is based on 110 percent of the gross area of the site. There are two (2) strategies of achieving and utilizing the maximum density allowed within a cluster development in the R-5 district. The first strategy is described in the Footnote below for information purposes only.¹

The applicant is proposing a cluster development that would create 5 lots, each approximately 2+ acres (as described in the preliminary plat, Exhibit 14) with an approximately 19.50 acre parcel that will also be developed consistent with the standards in CCC 40.210.020 (D) (3) (c) (2) (b). The larger parcel could be developed with the permitted uses in Table 40.210.020-1. This finding states the development scenarios using the rural cluster strategy; therefore, it does not require a condition of approval.

¹ In summary, CCC 40.210.020 (D) (3) (c) (2) (a) provides follows: The applicant can create cluster to maximize the density permitted in the R-5 district for a 30 acre parcel, which in this case would be 6 lots, with the remainder parcel used only for agricultural and forestry purposes (per Table 40.210.010-1(7)(a), (b) and (d)) or as open space. The option also requires a farm, forest, or open space management plan that identifies permitted uses, protects critical areas on the property, if applicable, the method of screening with a proviso indicating that modification(s) to the management plan would be processed as a Type II application.

- a. This option requires an open space, farm or forest management plan for the remainder parcel. The plan approved with the preliminary plat. The plan shall identify permitted uses and management of the parcel so that it maintains its open space or other designated functions and provides for the protection of all critical areas. The management plan shall identify the responsibility for maintaining the remainder parcel. The plan shall also include any construction activities (trails, fencing, agricultural buildings) and vegetation clearing that may occur on-site. All subsequent activities must be conducted in conformance with the approved management plan. Management plans may be modified through a Type II process.
- b. It also stipulates that a note be placed on the final plat and a covenant running with the land be recorded, restricting the use of the remainder parcel to the identified uses in the management plan.

Finding 2

Lot requirements, lot setbacks, lot coverage and building heights for rural cluster development are discussed in the following tables:

Table 2: Lot Requirements – Rural Cluster Development (See Table 40.210.020-4)					
Lot Type	Zoning District	Minimum Lot Area	Maximum Lot Size	Minimum Lot Width (feet)	Minimum Lot Depth (feet)
Cluster Lot	R-5	1 acre ²	None ³	100 ⁴	140
Remainder Lot	R-5	65% of site	None ²	None	None

Table 3: Setbacks, Lot Coverage and Building Height – Rural Cluster Development (See Table 40.210.020-5)						
Zoning District and Lot Type	Location or Structure Type	Minimum Setbacks			Maximum Lot Coverage	Maximum Building Height (feet)
		Front (feet)	Side (feet)	Rear (feet)		
R-5 Cluster Lots and Remainder Lots	Abutting a cluster lot	20	20	20	N/A	35 (Single-family residential building only)
	Abutting a resource district	200 ⁵	200 ⁵	200 ⁵		
	Agricultural structures	50	50	50		
	Vehicle entry gates or garage door openings	20	20	20		
	All other situations	50	20	50		

From the above, staff finds that:

1. Each proposed lot contains adequate lot width and lot depth; and, could comply with the required minimum lot width and minimum lot depth standard in Table 40.210.020-4 (Lot Requirements – Rural Cluster Development). (See Exhibit 14)
2. Except for Lot 1, which is approximately 19.50 acres, the other cluster Lots 2 through 6, are each 2+ acres in area, and could comply with the required minimum lot area standard in Table 210.020-4 (Lot Requirements – Rural Cluster Development). (See Exhibit 14)

² Unless a larger size is required by the Clark County Health Department. Cluster lots can use right-of-way to meet the minimum lot size as permitted by Section 40.200.040(C)(1).

³ The minimum standard for remainder parcels controls the maximum size of cluster lots.

⁴ Unless a greater width shall be required by the Clark County fire code.

⁵ Except in cases where it can be shown that a lesser setback will provide the same or greater buffering or where requiring the normal setback will result in the location of the building sites within inappropriate areas such as wildlife habitat or wetland areas or the dimensions of the development site render it unbuildable.

3. Lot 1, which would otherwise have been the remainder lot, but is included as a parcel in the subdivision, is approximately 19.50 acres (or 65 percent) of the original parcel of 30 acres. Staff finds this requirement in Table 40.210.020-4 is met; therefore, no condition of approval is required.
4. The applicant has not provided any building envelopes for either the cluster lots, Lots 2 through 5 or the remainder Lot 1, which is 19.50 acres; therefore, it is difficult for staff to determine that a proposed development on any of these lots could comply with the minimum setback in Table 40.210.020-5 (Setbacks, Lot Coverage and Building Height – Rural Cluster Development). Therefore, the following conditions of approval shall apply:
 - a. Prior to final plat recording, the applicant shall revise the preliminary cluster subdivision plat to show building envelope on each lot with setbacks meeting the minimum standard in Table 40.210.020-5 (Setbacks, Lot Coverage and Building Height – Rural Cluster Development). (See Condition D-1a)

Finding 3

With rural cluster development, CCC 40.210.020 (D) (5) requires that the following design standards be implemented:

- a. No entryway treatments, monument or other permanent development signs are permitted. This standard does not prohibit the implementation of landscaping and screening along the frontage of a cluster development outside of the public right of way.
- b. Sight-obscuring fences of any height are not permitted within fifty (50) feet of the public right-of-way, nor along cluster lot lines adjacent to the remainder lot. Where installed, sight-obscuring fences should be at least fifty percent (50%) opaque.
- c. The applicant shall preserve any existing historic rural features as part of the cluster development. These features include, but are not limited to rock walls, fences, functional and structurally safe farm buildings, monuments and landscape features.

The applicant shall design the cluster development to comply with the design guidelines and standards provided in CCC 40.210.020 (D) (5) prior to final plat recording. (See Condition D-1b)

Finding 4

The applicable section of the rural cluster development, CCC 40.210.020 (D) (6) provides landscaping and screening standards for cluster lots. The standard requires landscaping to occur within the developed portion of the cluster lots to reduce view of the development from the public right-of-way, and to provide a filtered view such that rural cluster development does not dominate the rural environment. Therefore, the applicant shall provide landscaping consistent with the minimum standards contained in CCC 40.210.020 (D) (6) (Landscaping Standards for Cluster Development). (See Condition A-7)

Finding 5

There is a proposed county road easement running diagonally north/south through the proposed Lot 1 and a portion of Lot 6 in the county's adopted arterial atlas map. But CCC 40.210.020 (D) (3) (c) (1) states that the remainder parcel shall be contiguous. Fragmentation of the parcel by public or private road easements and/or building sites shall not occur unless no other alternative exists.

In this case, as in other cases, the removal of a road easement from the arterial atlas requires an action of the board of county commissioners. Usually, the applicant makes the request, and Community Planning Staff reviews the request during the docket or annual review process. Instead of going through the docket/annual review process, the applicant has provided a 30 foot wide road easement running along the easterly property boundary as shown in Exhibit 14 as an alternative to that proposed in the arterial atlas.

Community Planning Staff (see Exhibit 15) states that the proposed building envelope for Lot 1 will ensure that permanent structures are not located within any potential future road alignment. A 30 foot wide easement is provided along the west property line of the site. Therefore, this proposal protects the future transportation corridor and meets the intent of the Arterial Atlas.

Staff finds that Exhibit 15 provides only a 30 foot wide easement along the eastern property boundary; it does not show a building envelope for in Lot 1. A condition of approval shall be imposed requiring the applicant to provide a revised plat indicating a building envelope on Lot 1 and the other 5 lots to ensure that appropriate setback standards are met. (See Condition D-1a)

Conclusion (Land Use):

Staff concludes that the proposed preliminary plan, subject to conditions identified above, meets the land use requirements of the Clark County Code.

ARCHAEOLOGY:

(See Standard Condition A-1a and D-9a)

WETLAND:

Finding 1

The wetland boundaries, ratings, and buffer requirements have been confirmed under a previously issued wetland determination (WET2009-00042) and are shown correctly on the Preliminary Plat. The development envelope on the remainder lot meets the standard in CCC 40.450.030.G; therefore, the standard identified in this report will apply.

Conclusion (Wetlands):

Staff finds that the proposed preliminary plan, subject to the standard conditions identified in this report, meet the wetland requirements of the Clark County Code.

TRANSPORTATION:

Onsite Road

Finding 1

In accordance with the current Clark County's Arterial Atlas a future Rural Minor Collector (Rm-2) will bisect the site from a point near the southeast corner to the northwest corner of the site. This future alignment which would connect NE 212th Avenue to NE 217th Avenue is intended to provide a north-south corridor for the anticipated urbanization and build out of this area. At one time, a previous Clark County Arterial Atlas had shown an alignment straddling the site's westerly boundary and then continuing south straddling property lines of other parcels. At this time the exact alignment of this connection is not known; however, the design of the future connection will most likely include horizontal curves meeting the specifications of CCC Table 40.350.030-2. The applicant proposes to convey to Clark County a 30-foot wide easement along the western boundary of the site for public ingress and egress. In addition to this public ingress and egress easement the applicant's plat will create building envelope for the proposed Lot 1 that will place any future dwelling and its accessory structures away from any alternative alignments. **(See Plat Note D-10a)**

Access Management

Finding 2

Driveways shall have a minimum width of 12 feet of clear unobstructed all weather driving surface and an overhead clearance of 13 feet, 6 inches. **(See Condition A-2a)**

Frontage Roads

Finding 3

The portion of NE 217th Avenue, abutting the site on the east and the portion of NE 83rd Street, abutting the site on the north, are both designated as Rural Local Access roads. The minimum requirements for these road sections are a full right-of-way width of 50 feet and 20-foot wide paved section. The existing road sections as stated either meet or exceed these minimum requirements.

Intersection Design

Finding 4

The construction of intersection legs shall meet at the intersection at an angle as near to a right angle as practicable, but in no case less than 75° for roads intersecting collectors in accordance with CCC 40,350.030(B)(7)(a). The alignment of a link connecting NE 212th Avenue near the northwest corner of the site with NE 217th Avenue near the southeast corner of the site will need to meet these requirements. **(See Condition A-2b)**

The driveways are required to be paved from the edge of the public road to the right-of-way or 20 feet from the edge, whichever is greatest in accordance with CCC 40.350.030(B)(7)(c). **(See Condition A-2c)**

Sight Distance

Finding 5

The applicant has provided a sight distance certification prepared by Sterling Design, Inc., stamped and signed by Joel Stirling, a professional engineer licensed in the State of Washington. The certification states that Sterling Design, Inc. measured the available sight distance along both NE 83rd Street and onto NE 217th Avenue and driveway sight distance appears to be adequate for all driveway locations with appropriate vegetation maintenance and removal. **(See Condition A-2d)**

Cul-de-sacs and Turnarounds

Finding 6

An approved turnaround will be required for driveways greater than 150 feet in length at the time of residential building permit. **(See condition A-2e)**

Conclusion (Transportation):

Based upon the development site characteristics, the proposed transportation plan, the requirements of the County's transportation ordinance, and the findings above, staff concludes that the proposed preliminary transportation plan, subject to conditions, meets the requirements of the county transportation ordinance.

TRANSPORTATION CONCURRENCY:

Public Works Transportation Concurrency staff has reviewed the application and concluded that there are no transportation concurrency issues with this application.

STORMWATER:

Applicability

Finding 1

Stormwater and Erosion Control Ordinance CCC 40.380 applies to development activities that results in 5,000 square feet or more of new impervious area within the rural area and all land disturbing activities, except those exempted in Section CCC 40.380.030(A).

The project will create more than 5000 square feet of new impervious surface, involves platting of single-family residential subdivision, and it is a land disturbing activity not exempted in Section CCC 40.380.030(A). Therefore, this development shall comply with the Stormwater and Erosion Control Ordinance, CCC 40.380.

The erosion control ordinance is intended to minimize the potential for erosion and a plan is required for all projects meeting the applicability criteria listed in CCC 40.380,050. This project is subject to the erosion control ordinance.

Stormwater Proposal:

Finding 2

The design of the proposed water quality and quantity control facilities are based on future improvements on each parcel being constructed to direct all stormwater drainage to shallow lot line swales that will convey and provide quality control for the stormwater drainage as it flows to the quantity control facility. As required by CCC 40.380, the proposed lot line swales are sized to treat peak discharge from the new improvements

during 70% of the 2 year storm event and the quantity control facility is sized to limit the flows off the site to half the pre-developed 2 year flows and to match the 10 and 100 year pre-developed flows.

Site Conditions and Stormwater Issues

Finding 3

The property is approximately 30 acres in area with slopes of 0-5% over 100% of the parcel. The site topography slopes from the northeast corner of the property to the southwest corner with a slight steady grade of almost 1%. Clark County made a policy change concerning rural projects and determined that new driveways and roof areas must be accounted for even though the details are not known at the time of subdivision approval. In order to meet the requirements of CCC 40.380, conservative assumptions were made regarding new impervious surfaces that may be created in the future on the proposed plat. The assumptions are as follows. New home roof area of 3,000 sq. ft., new detached shop roof area of 2,400 sq. ft., and new driveway/RV pad area of 2,000 sq. ft.

The National Resources conservation service (NRCS, formerly SCS) mapping shows the site to be underlain by Hesson Clay and Hockinson Loam (HcB and HuB). These soils have low permeability and it is likely that most of the existing runoff on the site and from the adjacent properties slowly flows across the surface of the land prior to draining into or off of the site. The proposed stormwater flows do not rely on any infiltration for quantity control of the developed stormwater flows.

In accordance with the provisions of Section CCC 40.380.040(B)(2), all development activities require to prepare a final stormwater control plan shall conduct an analysis of off-site water quality impacts resulting from the development activities and shall mitigate their impacts. This project will be required to perform an offsite analysis extending a minimum of one-fourth of a mile downstream from the development. **(See condition A-5a)**

Conclusion (Stormwater):

Based upon the development site characteristics, the proposed stormwater plan, the requirements of the County's stormwater ordinance, and findings above, staff concludes that the proposed preliminary stormwater plan is feasible subject to conditions. Therefore, the requirements of the preliminary plan review criteria are satisfied.

FIRE PROTECTION:

Finding 1 – Fire Marshal Review

This application was reviewed by Tom Scott in the Fire Marshal's Office. Tom can be reached at (360) 397-2375 x4095 or 3323. Information can be faxed to Tom at (360) 759-6063. Where there are difficulties in meeting these conditions or if additional information is required, contact Tom in the Fire Marshal's office immediately.

Finding 2 – Building Construction

Building construction occurring subsequent to this application shall be in accordance with the provisions of the county's building and fire codes. Additional specific requirements may be made at the time of building construction as a result of the permit review and approval process. (See Condition B-1c)

Finding 3 – Fire Flow

Fire flow in the amount of 500 gallons per minute supplied for 30 minutes duration is required for this application. Information from the water purveyor indicates that the required fire flow is not available within 1,000 feet of the property line. Fire hydrants will not be required. Alternative construction methods shall be used to meet fire flow; this will require 30 foot rear and side setbacks and a class "A" rated roof. An automatic fire sprinkler system may be required for new residential structures exceeding 3,600 square feet of inhabitable space. (See Conditions B-1d and D-4a)

Finding 4 - Fire Apparatus Access

The roadways and maneuvering areas as indicated in the application shall meet the requirements of the Clark County Road Standard. Provide an unobstructed vertical clearance of not less than 13.5 feet, with an all weather driving surface and capable of supporting the imposed loads of fire apparatus. (See Conditions B-1e and D-4b)

Finding 5 - Fire Apparatus Turnarounds

All other new private driveways in excess of three hundred (300) feet in length shall be provided with an approved turnaround at the terminus. Turnouts shall be provide at intervals five hundred (500) feet or less, such that no portion of the driveway is in excess of three hundred (300) feet from an approved turnaround or turnout. (See Condition B-1f and D-4c)

Conclusion (Fire Protection):

Staff finds that the proposed preliminary plan, subject to conditions identified above, meets the fire protection requirements of the Clark County Code.

WATER & SEWER SERVICE:

Finding 1

Clark Public Utilities (CPU) provides potable water in the area. The development will be served by an individual well on each lot for potable water and on-site septic systems will service each lot. (See Standard Conditions D-3)

Finding 2

The use of septic systems is proposed to serve the site. A "Health Department Evaluation Letter" has been submitted that confirms the Health Department conducted an evaluation of the site and determined that no existing wells or septic systems are located on the site, and no structures on the site have been/are hooked up to water and/or sewer. The letter also confirms that septic systems permit release (for each lot) is pending approval of the design. confirmation that the Health Department conducted an evaluation of the site to determine if existing wells or septic systems are on the site, and whether any structures on the site have been/are hooked up to water and/or sewer. The Health Department Final Approval Letter will confirm that all existing wells and/or septic systems have been abandoned, inspected and approved by the Health Department. (See Condition A-8)

Conclusion (Water & Sewer Service):

Staff finds that the proposed preliminary plan, subject to conditions identified above, meets the water and sewer service requirements of the Clark County Code.

IMPACT FEES:

There is no defined parks improvement district in the area; but, Evergreen School District Impact Fee (SIF) and Rural District 1 Traffic Impact Fee (TIF) will be assessed on 5 of the 6 proposed lots prior to building permit issuance.

The following note shall be placed on the final plat stating that:

"In accordance with CCC 40.610, park, school and traffic impact fees shall be assessed on 5 of the 6 lots as follows:

1. \$6,818.00 SIF per new single-family dwelling in the Evergreen School District; and,
2. \$2,749.47 per new single-family dwelling in Rural 1 Traffic Impact Fees District (made up of \$1,403.23 local fees and \$1,347.24 regional fees).

"The impact fees for lots on this plat shall be fixed for a period of three years, beginning from the date of preliminary plat approval, dated _____, and expiring on _____. Impact fees for permits applied for following said expiration date shall be recalculated using the then-current regulations and fees schedules." (See Conditions D-5d, E-1)

SEPA DETERMINATION

As lead agency under the State Environmental Policy Act (SEPA) Rules [Chapter 197-11, Washington Administrative Code (WAC)], Clark County must determine if there are possible significant adverse environmental impacts associated with this proposal. The options include the following:

- **DS = Determination of Significance** (The impacts cannot be mitigated through conditions of approval therefore, requiring the preparation of an Environmental Impact Statement (EIS);
- **MDNS = Mitigated Determination of Non-Significance** (The impacts can be addressed through conditions of approval); or,
- **DNS = Determination of Non-Significance** (The impacts can be addressed by applying the County Code).

Determination:

Determination of Non-Significance (DNS): As lead agency, the county has determined that the requirements for environmental analysis, protection, and mitigation measures are adequately addressed in the development regulations and comprehensive plan adopted under chapter 36.70A RCW, and in other applicable local, state, or federal laws rules, as provided by RCW 43.21.240 and WAC 197-11-158. Our agency will not require any additional mitigation measures under SEPA. The proposal may include mitigation under applicable codes and the project review. This decision was

made after review of a completed environmental checklist and other information on file with the County.

Date of Publication & Comment Period:

The likely SEPA determination of Non-Significance (DNS) in the Notice of Development Review Application issued on June 9, 2009, is hereby final.

SEPA Appeal Process:

An **appeal** of this SEPA determination and any required mitigation must be filed with the Community Development Department within fourteen (14) calendar days from the date of this notice. The SEPA appeal fee is **\$1,493**.

A **procedural appeal** is an appeal of the determination (i.e., determination of significance, determination of non-significance, or mitigated determination of non-significance). A **substantive appeal** is an appeal of the conditions required to mitigate for probable significant issues not adequately addressed by existing County Code or other law.

Issues of compliance with existing approval standards and criteria can still be addressed in the public hearing without an appeal of this SEPA determination.

Both the **procedural and substantive appeals** must be filed within fourteen (14) calendar days of this determination. Such appeals will be considered in the scheduled public hearing and decided by the Hearing Examiner in a subsequent written decision.

Appeals must be in writing and contain the following information:

1. The case number designated by the County and the name of the applicant;
2. The name and signature of each person or group (petitioners) and a statement showing that each petitioner is entitled to file an appeal as described under Section 40.510.030(H) of the Clark County Code. If multiple parties file a single petition for review, the petition shall designate one party as the contact representative with the Development Services Manager. All contact with the Development Services Manager regarding the petition, including notice, shall be with this contact person;
3. A brief statement describing why the SEPA determination is in error.

The decision of the Hearing Examiner on any SEPA procedural appeal can not be appealed to the Board of County Commissioners, but must pursue judicial review.

Staff Contact Person:

Michael Uduk, (360) 397-2375, ext. 4385
Travis Goddard, (360) 397-2375, ext. 4180

Responsible Official:

Michael V. Butts

Public Service Center
Community Development Department
1300 Franklin Street
P.O. Box 9810
Vancouver, WA 98666-9810
Phone: (360) 397-2375; Fax: (360) 397-2011
Web Page at: <http://www.clark.wa.gov>

RECOMMENDATION

Based upon the proposed plan (identified as Exhibit 14), and the findings and conclusions stated above, staff recommends the Hearings Examiner **APPROVE** this request, subject to the understanding that the applicant is required to adhere to all applicable codes and laws, and is subject to the following conditions of approval:

Conditions of Approval

A Final Construction Plan Review for Land Division Review & Approval Authority: Development Engineering

Prior to construction, a Final Construction shall be submitted for review and approval, consistent with the approved preliminary plan and the following conditions of approval:

A-1 Final Construction Plan

The applicant shall submit and obtain County approval of a final construction plan in conformance to CCC 40.350 and the following conditions of approval:

- a. Archaeology - A note shall be placed on the face of the final site plan and construction plans as follows:
"If any cultural resources and/or human remains are discovered in the course of undertaking the development activity, the Department of Archaeology and Historic Preservation in Olympia and Clark County Community Development shall be notified. Failure to comply with these State requirements may constitute a Class C Felony, subject to imprisonment and/or fines."
- b. Wetland Plan:
 - 1) Showing the wetland and buffer boundaries on the face of the Final Site Plan and Final Construction Plans and including a note that refers to the separately recorded conservation covenant.
 - 2) (For Site Plans) Recording a conservation covenant with the County Auditor that runs with the land and requires that the wetlands and buffers remain in natural state.

A-2 Final Transportation Plan/On-Site

The applicant shall submit and obtain County approval of a final transportation design in conformance to CCC 40.350 and the following conditions of approval:

- a. Driveways shall have a minimum width of 12 feet of clear unobstructed all weather driving surface and an overhead clearance of 13 feet, 6 inches. **(See Transportation Finding 2)**
- b. The construction of intersection legs shall meet at the intersection at an angle as near to a right angle as practicable, but in no case less than 75° for roads intersecting collectors in accordance with CCC 40,350.030(B)(7)(a). **(See Transportation Finding 4)**
- c. The driveways are required to be paved from the edge of the public road to the right-of-way or 20 feet from the edge, whichever is greatest in accordance with CCC 40.350.030(B)(7)(c). **(See Transportation Finding 4)**
- d. The applicant shall provide the necessary vegetation maintenance and removal in order achieve the required sight distance. **(See Transportation Finding 5)**
- e. An approved turnaround shall be required for driveways greater than 150 feet in length at the time of residential building permit. **(See Transportation Finding 6)**

A-3 Final Transportation Plan/Off Site (Concurrency):

The applicant shall submit and obtain County approval of a final transportation design in conformance to CCC 40.350 and the following conditions of approval:

None

A-4 Transportation:

a. Signing and Striping Plan:

Not Applicable

b. Traffic Control Plan:

Not Applicable

A-5 Final Stormwater Plan:

The applicant shall submit and obtain County approval of a final stormwater plan for on and off-site facilities (as applicable), designed in conformance to CCC 40.380 and the following conditions of approval:

- a. This applicant shall be required to perform an offsite analysis extending a minimum of one-fourth of a mile downstream from the development and provide mitigation from stormwater runoff. **(See Stormwater Finding 3)**

A-6 Erosion Control Plan:

The applicant shall submit and obtain County approval of a final erosion control plan designed in accordance with CCC 40.380.

A-7 Final Landscape Plan:

The applicant shall submit and obtain county approval of final landscape plan consistent with the approved preliminary landscape plan and conditions listed below (ref: CCC 40.320). The landscape plan shall include landscaping within the public Rights-of-Ways and on-site.

- a. Therefore, the applicant shall provide landscaping consistent with the minimum standards contained in CCC 40.210.020 (D) (6) (Landscaping Standards for Cluster Development). (Land Use Finding 4)

A-8 Health Department Review:

Submittal of a "Health Department Project Evaluation Letter" is required as part of the Final Construction Plan Review or early grading application. If the Evaluation Letter specifies that certain actions are required, the Evaluation Letter will specify the timing of when those activities must be completed (e.g., prior to Final Construction Plan Review, construction, Provisional Acceptance, Final Plat Review, building permit issuance, or occupancy), and approved by the Health Department.

A-9 Fire Marshal Requirements:

(See Conditions under Sections B and D)

A-10 Other Documents Required:

The following documents shall be submitted with the Final Construction Plan:

A-11 Excavation and Grading:

Excavation / grading shall be performed in compliance with CCC Chapter 14.07.

B	Prior to Construction of Development Review & Approval Authority: Development Inspection
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Prior to construction, the following conditions shall be met:

B-1 Pre-Construction Conference - Prior to construction or issuance of any grading or building permits, a pre-construction conference shall be held with the County; and,

- a. Prior to construction, demarcation of wetland and/or buffer boundaries shall be established (i.e. sediment fence).

- b. Prior to construction, demarcation of existing septic and water well systems, and underground tanks shall be established.

- c. Building Construction:

Building construction occurring subsequent to this application shall be in accordance with the provisions of the county's building and fire codes. Additional specific requirements may be made at the time of building construction as a result of the permit review and approval process. (See Fire Protection Finding 2)

d. Fire Flow:

Fire flow in the amount of 500 gallons per minute supplied for 30 minutes duration is required for this application. Information from the water purveyor indicates that the required fire flow is not available within 1,000 feet of the property line. Fire hydrants will not be required. Alternative construction methods shall be used to meet fire flow; this will require 30 foot rear and side setbacks and a class "A" rated roof. An automatic fire sprinkler system may be required for new residential structures exceeding 3,600 sq. ft. of inhabitable space. (See Fire Protection Finding 3)

e. Fire Apparatus Access

The roadways and maneuvering areas as indicated in the application shall meet the requirements of the Clark County Road Standard. Provide an unobstructed vertical clearance of not less than 13.5 feet, with an all weather driving surface and capable of supporting the imposed loads of fire apparatus. (See Fire Protection Finding 4)

f. Fire Apparatus Turnarounds

All other new private driveways in excess of three hundred (300) feet in length shall be provided with an approved turnaround at the terminus. Turnouts shall be provide at intervals five hundred (500) feet or less, such that no portion of the driveway is in excess of three hundred (300) feet from an approved turnaround or turnout. (See Fire Protection Finding 5)

B-2 Erosion Control - Prior to construction, erosion/sediment controls shall be in place. Sediment control facilities shall be installed that will prevent any silt from entering infiltration systems. Sediment controls shall be in place during construction and until all disturbed areas are stabilized and any erosion potential no longer exists.

B-3 Erosion Control - Erosion control facilities shall **not** be removed without County approval.

C	Provisional Acceptance of Development
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Review & Approval Authority: Development Inspection
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Prior to provisional acceptance of development improvements, construction shall be completed consistent with the approved final construction/land division plan and the following conditions of approval:

C-1 Verification of the Installation of Required Landscape:

The applicant shall provide verification in accordance with Section 40.320.030(B) that the required landscape has been installed in accordance with the approved landscape plan(s). (See condition A-7a)

C-2 Wetlands and Buffers:

Permanent physical demarcation of the boundaries in a manner approved by the Development Services Manager (i.e. fencing, hedgerows, berms etc.) and posting of approved signage on each lot or every 100 ft of the boundary, whichever is less.

D	Final Plat Review & Recording Review & Approval Authority: Development Engineering
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Prior to final plat approval and recording, the following conditions shall be met:

D-1 Land Use

- a. Prior to final plat recording, the applicant shall revise the preliminary cluster subdivision plat to a show building envelope on each lot with setbacks meeting the minimum standard in Table 40.210.020-5 (Setbacks, Lot Coverage and Building Height – Rural Cluster Development). (See Land Use Findings 2.4 and 5)
- b. The applicant shall design the cluster development to comply with the design guidelines and standards provided in CCC 40.210.020 (D) (5) prior to final plat recording. (See Land Use Finding 3)

D-2 Health Department Signature Requirement – The Health Department is not required to sign the final plat, unless the use of well or septic systems is proposed.

D-3 On-Site Water Wells and Sewage System Requirements - For on-site water wells and sewage system, the following requirements shall be completed:

- a. A 100-foot radius of protection for any wells shall be shown on the final plat map and be located within the boundaries of the land division;
- b. The location of all existing wells (in use, not in use or abandoned) shall be indicated on the final plat map;
- c. Each on-site sewage system shall be on the same lot it serves;
- d. Test hole locations corresponding to the designated treatment sites shall be surveyed and indicated on the final plat map;
- e. No public or private easements or rights-of-way shall be extended through the approved, reserve or existing on-site sewage system sites;
- f. Provisions shall be made to prevent flow or accumulation of surface water over the area where an on-site sewage system is located;
- g. A copy of the County approved final drainage plan shall be submitted for review; and,
- h. All proposed lots shall have a current approved septic system site evaluation or septic system permit. Should either be allowed to expire, subsequent approval of an on-site sewage treatment system cannot be assured and, therefore, the Health Department will not sign the final plat.

D-4 Fire Marshal Requirements:

a. Fire Flow:

Fire flow in the amount of 500 gallons per minute supplied for 30 minutes duration is required for this application. Information from the water purveyor indicates that the required fire flow is not available within 1,000 feet of the property line. Fire hydrants will not be required. Alternative construction methods shall be used to meet fire flow; this will require 30 foot rear and side setbacks and a class "A" rated roof. An automatic fire sprinkler system may be required for new residential structures exceeding 3,600 sq. ft. of inhabitable space. (See Fire Protection Finding 3)

b. Fire Apparatus Access

The roadways and maneuvering areas as indicated in the application shall meet the requirements of the Clark County Road Standard. Provide an unobstructed vertical clearance of not less than 13.5 feet, with an all weather driving surface and capable of supporting the imposed loads of fire apparatus. (See Fire Protection Finding 4)

c. Fire Apparatus Turnarounds

All other new private driveways in excess of three hundred (300) feet in length shall be provided with an approved turnaround at the terminus. Turnouts shall be provide at intervals five hundred (500) feet or less, such that no portion of the driveway is in excess of three hundred (300) feet from an approved turnaround or turnout. (See Fire Protection Finding 5)

D-5 Developer Covenant – A "Developer Covenant to Clark County" shall be submitted for recording to include the following:

a. Critical Aquifer Recharge Areas: "The dumping of chemicals into the groundwater and the use of excessive fertilizers and pesticides shall be avoided. Homeowners are encouraged to contact the State Wellhead Protection program at (206) 586-9041 or the Washington State Department of Ecology at 800-RECYCLE for more information on groundwater /drinking supply protection."

b. Erosion Control - "Building Permits for lots on the plat shall comply with the approved erosion control plan on file with Clark County Building Department and put in place prior to construction."

c. Land Near Agricultural, Forest or Mineral Resources: Land owners and residents are hereby notified that this plat is located within 500 feet of lands zoned agriculture-wildlife (AG-WL), agriculture (AG-20), forest (FR-40, FR-80), or surface mining (S), or in current use under Revised Code of Washington (RCW) Chapter 84.34. Therefore, the subject property is within or near designated agricultural land, forest land or mineral resource land (as applicable) on which a variety of commercial activities may occur that are not compatible with residential development for certain periods of limited duration. Potential discomforts or inconveniences may include, but are not

limited to: noise, odors, fumes, dust, smoke, insects, operation of machinery (including aircraft) during any twenty-four (24) hour period, storage and disposal of manure, and the application by spraying or otherwise of chemical fertilizers, soil amendments, herbicides and pesticides.

- d. Impact Fees: "In accordance with CCC 40.610, except for Lot 3 designated on the final plat as waived, the School, and Traffic Impact Fees for each of the remaining 5 dwellings in this subdivision are: \$6,818.00 (Evergreen School District), and \$2,749.47 (Rural 1 TIF district made up of \$1,403.23 local fees and \$1,347.24 regional fees), respectively. The impact fees for lots on this plat shall be fixed for a period of three years, beginning from the date of preliminary plat approval, dated _____, and expiring on _____. Impact fees for permits applied for following said expiration date shall be recalculated using the then-current regulations and fees schedule."

D-6 Addressing - At the time of final plat, existing residence(s) that will remain may be subject to an address change. Addressing will be determined based on point of access.

D-7 Verification of the Installation of Required Landscape

Prior to approval of a final plat, the applicant shall provide verification in accordance with Section 40.320.030(B) that the required landscape has been installed in accordance with the approved landscape plan (See condition A-7).

D-8 Wetlands:

- a. The wetland and buffer boundaries shall be delineated on the face of the Final.
- b. A conservation covenant shall be submitted for recording with the County Auditor that runs with the land and requires that the wetlands and buffers remain in their natural state.

D-9 Plat Notes - The following notes shall be placed on the final plat:

- a. Archaeological: "If any cultural resources and/or human remains are discovered in the course of undertaking the development activity, the Department of Archaeology and Historic Preservation in Olympia and Clark County Community Development shall be notified. Failure to comply with these State requirements may constitute a Class C Felony, subject to imprisonment and/or fines."
- b. Building Envelope Note: If any development activity or ground disturbance occurs outside of the building envelopes represented on the final plat, an additional archaeological predetermination survey will be required for the area impacted.
- c. Septic Systems: "The approved, initial, reserve, and/or existing sewage system sites shall be protected from damage due to development. All sites shall be maintained so they are free from encroachment by buildings and not be subject to vehicular traffic or other activity which would adversely affect the site or system function."

- d. Wetland Covenants: "Clark County Wetland Protection Ordinance (Clark County Code Chapter 40.450) requires wetlands and wetland buffers to be maintained in a natural state. Refer to Conservation Covenant (Ref # [REDACTED]) recorded with the Clark County Auditor for limitations on the maintenance and use of the wetland and wetland buffer areas identified on the face of this plat."
- e. Wetland Development Envelopes: "No clearing or development activities shall occur outside the development envelopes shown on the face of this plat unless the activities are exempt from, or approved under, the provisions of the Clark County Wetland Protection Ordinance (CCC 40.450). Other building setbacks may apply within the development envelopes"
- f. Utilities: "An easement is hereby reserved under and upon the exterior six (6) feet at the front boundary lines of all lots for the installation, construction, renewing, operating and maintaining electric, telephone, TV, cable, water and sanitary sewer services. Also, a sidewalk easement, as necessary to comply with ADA slope requirements, shall be reserved upon the exterior six (6) feet along the front boundary lines of all lots adjacent to public streets."
- g. Driveways: "All residential driveway approaches entering public roads are required to comply with CCC 40.350."

D-10 Transportation

- a. **Easements and Restrictions** – The final plat shall contain the required language to create a 30 foot wide public ingress and egress easement along the sites westerly boundary along with language to create a building envelope for the proposed Lot 1 that will be outside any Rural Minor Collector alignments that will meet the intent of Clark County's Arterial Atlas. **(See Transportation Finding #1)**

E	Building Permits
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	Review & Approval Authority: Customer Service
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Prior to issuance of a building permit, the following conditions shall be met:

- E-1 Impact Fees** – Except for Lot 3 designated as waived on the final plat, the applicant shall pay traffic and school impact fees for each of the remaining 5 lots as follows:
 - a. \$6,818.00 per dwelling for School Impact Fees (Evergreen School District); and,
 - b. \$2,749.47 per dwelling for Traffic Impact Fees (Rural 1 TIF District)

If the building permit application is made more than three years following the date of preliminary land division plan approval, the impact fees shall be recalculated according to the then-current rate.

F	Occupancy Permits Review & Approval Authority: Building
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Prior to issuance of an occupancy permit, the following conditions shall be met:

F-1 Land Use and Critical Areas:

a. Verification of the Installation of Required Individual Street Trees:

Where street trees are required on individual residential lots, the applicant shall provide verification in accordance with Section 40.320.030(B) that the required landscape has been installed in accordance with the approved landscape plan (See condition A-7).

G	Development Review Timelines & Advisory Information Review & Approval Authority: None - Advisory to Applicant
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G-1 Land Division - Within 5 years of preliminary plan approval, a Fully Complete application for Final Plat review shall be submitted.

G-2 Department of Ecology Permit for Construction Stormwater - A permit from the Department of Ecology (DOE) is required If:

- The construction project disturbs one or more acres of land through clearing, grading, excavating, or stockpiling of fill material; **AND**,
- There is a possibility that stormwater could run off the development site during construction and into surface waters or conveyance systems leading to surface waters of the state.

The cumulative acreage of the entire project whether in a single or in a multiphase project will count toward the one acre threshold. This applies even if the applicant is responsible for only a small portion [less than one acre] of the larger project planned over time. **The applicant shall Contact the DOE for further information.**

G-3 Building and Fire Safety

Building and Fire, Life, and Safety requirements must be addressed through specific approvals and permits. This decision may reference general and specific items related to structures and fire, life, and safety conditions, but they are only for reference in regards to land use conditions. It is the responsibility of the owner, agent, tenant, or applicant to insure that Building Safety and Fire Marshal requirements are in compliance or brought into compliance. Land use decisions do not waive any building or fire code requirements.

G-4 Building Elevation Approvals – Approval of building elevations submitted for preliminary plan review does not ensure compliance with other requirements (e.g., building setbacks) under other construction codes. Compliance with other construction codes is the responsibility of the applicant at the time of building permit issuance.

H	Post Development Requirements Review & Approval Authority: As specified below
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H-1 None

Note: Any additional information submitted by the applicant within fourteen (14) calendar days prior to or after issuance of this report, may not be considered due to time constraints. In order for such additional information to be considered, the applicant may be required to request a “hearing extension” or “open record” and shall pay the associated fee.

HEARING EXAMINER DECISION AND APPEAL PROCESS

This report to the Hearing Examiner is a recommendation from the Development Services Division of Clark County, Washington.

The Examiner may adopt, modify or reject this recommendation. The Examiner will render a decision within 14 calendar days of closing the public hearing. The County will mail a copy of the decision to the applicant and neighborhood association within 7 days of receipt from the Hearing Examiner. All parties of record will receive a notice of the final decision within 7 days of receipt from the Hearing Examiner.

An **appeal** of any aspect of the Hearing Examiner's decision, except the SEPA determination (i.e., procedural issues), may be appealed to the Board of County Commissioners only by a party of record. A party of record includes the applicant and those individuals who signed the sign-in sheet or presented oral testimony at the public hearing, and/or submitted written testimony prior to or at the Public Hearing on this matter.

The appeal shall be filed with the Board of County Commissioners, Public Service Center, 1300 Franklin Street, Vancouver, Washington, 98668, within fourteen (14) calendar days from the date the notice of final land use decision is mailed to parties of record.

Any appeal of the final land use decisions shall be in writing and contain the following:

- Case number designated by the County;
- Name of the applicant;
- Name of each petitioner;
- Signature of each petitioner or his or her duly authorized representative;
- A statement showing the following:
 - That each petitioner is entitled to file the appeal as an interested party in accordance with CCC 40.510.030(H);
 - The specific aspect(s) of the decision being appealed;
 - The reasons why each aspect is in error as a matter of fact or law;
 - The evidence relied on to prove the error; and,

- The appeal fee of **\$716**.

The fee shall be refunded if the appeal is withdrawn in writing by the petitioner at least 15 calendar days before the public meeting to consider the appeal.

The Board of Commissioners shall hear appeals of decisions based upon the written record before the examiners, the examiner's decision, and any written comments received in the office of the Board within the following submittal deadlines measured from the date of the filing of the appeal:

- Fourteen (14) calendar days for the appellant's initial comments;
- Twenty-eight (28) calendar days for all responding comments; and,
- Thirty-five (35) calendar days for appellant reply comments, which are limited to the issues raised in the respondent's comments.

Written comments shall be limited to arguments asserting error in or support of the examiner decision based upon the evidence presented to the examiner.

Unless otherwise determined by the Board for a specific appeal, the Board shall consider appeals once a month, on a reoccurring day of each month. The day of the month on which appeals are considered shall be consistent from month to month as determined by Board.

The Board may either decide the appeal at the designated meeting or continue the matter to a limited hearing for receipt of oral argument. If continued, the Board of Commissioners shall designate the parties or their representatives to present argument, and permissible length thereof, in a manner calculated to afford a fair hearing of the issues specified by the Board of Commissioners. At the conclusion of its public meeting or limited hearing for receipt of oral legal argument, the Board of Commissioners may affirm, reverse, modify or remand an appealed decision.

Attachments:

- Copy of Proposed Preliminary Plan
- Exhibit List

Ninety percent (90%) of the fee will be refunded if the appeal is withdrawn in writing by the petitioner at least 15 calendar days before the public meeting to consider the appeal.

A copy of the approved preliminary plan, SEPA Checklist and Clark County Code are available for review at:

**Public Service Center
Community Development Department
1300 Franklin Street
P.O. Box 9810
Vancouver, WA 98666-9810
Phone: (360) 397-2375; Fax: (360) 397-2011**

A copy of the Clark County Code is also available on our Web Page at:
Web Page at: <http://www.clark.wa.gov>

Final Decision Attachment

For Employee Use Only - This is not part of the decision, but rather an attachment for processing purposes only.

Final Plans Required with Construction Plans	YES	NO
Final Landscape Plan:	x	
-On-site landscape plan		x
-Right-of-way landscape plan*	x	
Final Wetland Plan	x	
Final Habitat Plan		x

*Final right-of-way landscape plan required for projects fronting on arterial and collector streets.

Note: If final plan submittals are required, list each plan under Case Notes in Permit Plan for future reference.

Building Setbacks Established at Preliminary Plan Review

Project Name: BFI SUBDIVISION

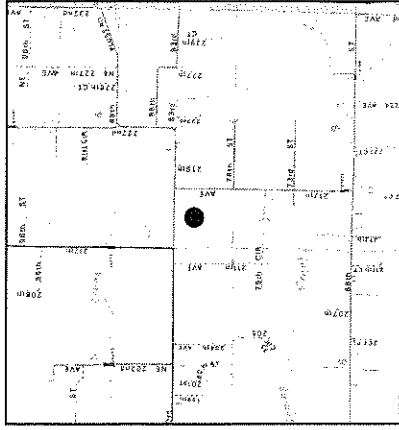
Case Number: PLD2009-00029

The following minimum building setback requirements are based upon the zoning in place at the time, or setbacks as otherwise approved through preliminary plan review of the above listed project.

Setback Requirements by Lot (See Table 40.210.020-5)

Lot Number(s)	Front Setback	Garage Setback	Rear Setback	Side Setback	Street-side Setback
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VICINITY MAP



SITE DATA

TAX LOT: 9
 SERIAL NUMBER: 168134-000
 TOTAL ACRES: 19.50 ACRES
 AREA: 390.00 ACRES ON 1.500 IN 4 50 FT
 ZONING: R-5
 DENSITY CALCULATION: 30 ACRES/10-35.00AC/5 AC/0.3-4 D.U.
 DENSITY: 30 ACRES/10-35.00AC/5 AC/0.3-4 D.U.

NOTES: ARE NO KNOWN WATER COURSES, FLOOD PLAINS, UNSTABLE SOILS, LANDSLIDE
 HAZARD AREAS, AND/OR SIGNIFICANT WILDLIFE HABITAT OR VEGETATION LOCATED ON OR
 ADJACENT TO THE SITE.
 -THE TRAIL DOES NOT SERVE THIS SITE. THE NEAREST TRAIL IS APPROXIMATELY 3 MILES
 TO THE WEST AT THE CORNER OF WARD ROAD AND N 15TH AVE.
 -PUBLIC WATER AND SANITARY SEWER ARE NOT AVAILABLE.
 -THERE ARE NO EXISTING UTILITIES OR EXISTING UTILITIES ON THE SITE.
 -THE EXISTING BOUNDARY WILL BE RETAINED ON PROPOSED LOT 3.
 -TOPOGRAPHIC DATA PROVIDED BY CLARK COUNTY GIS.

OWNER/APPLICANT:
 BFI SUBDIVISION LLC
 P.O. BOX 827392
 VANCOUVER, WA 98682
 (206) 894-3313 FAX (206) 894-8410
 bfi@bfiweb.com

CONTACT:
 MANAGER-CLARKER SURVEYING, INC.
 1000 1ST AVE. S.W.
 VANCOUVER, WA 98601
 (206) 894-3313 FAX (206) 894-8410
 clarkersurvey.com

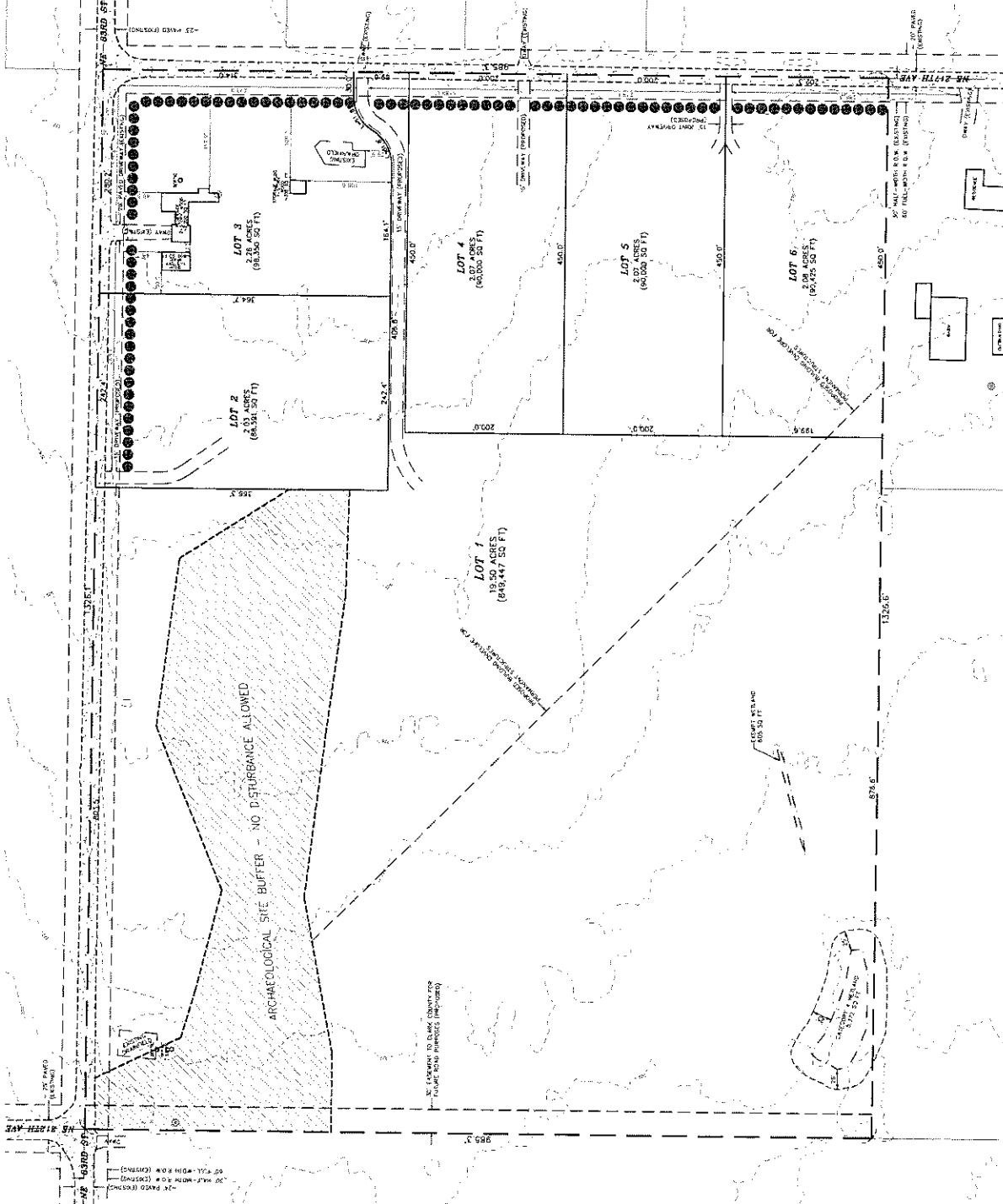


SCALE 1" = 60 FEET
 0' 30' 60' 120'

PROPOSED DEVELOPMENT PLAN BFI SUBDIVISION

IN A PORTION OF THE
 SW 1/4 OF SECTION 04, T. 2 N., R. 3 E., W.M.,
 CLARK COUNTY, WASHINGTON

JOB NO. 09-020 DRAWING DATE: 08-09-09
 SHEET 1 OF 1



REVISED
 8/10/09



HEARING EXAMINER EXHIBITS

APPLICATION: BFI SUBDIVISION

CASE NUMBERS: PLD2009-00029; SEP2009-00052

Hearing Date: September 10, 2009

EXHIBIT NO.	DATE	SUBMITTED BY	DESCRIPTION
1		CC Development Services	Aerial Map
2		CC Development Services	Vicinity Map
3		CC Development Services	Zoning Map
4		CC Development Services	Comprehensive Plan Map
5	6/12/09	Applicant, Minister & Glaeser Surveying, Inc.	Proposed Development Plan, Preliminary Stormwater Plan
6	6/12/09	Applicant, Minister & Glaeser Surveying, Inc.	<ol style="list-style-type: none"> 1. Table of Contents 2. Application Form 3. Preapplication Conference Report 4. Developer's GIS Packet 5. Project Narrative 6. Sales History 7. Traffic Profile 8. SEPA Checklist 9. Water Utility Review 10. Health Department Development Review 11. Archaeological Predetermination 12. Archaeological Survey Report 13. DAHP Confirmation Email 14. Wetland Assessment Report 15. Sight Distance Certification 16. Preliminary Stormwater Design Report 17. Preliminary Stormwater Plan 18. Preliminary Boundary Survey 19. Proposed Development Plan
7	6/26/09	CC Development Services	Fully Complete Determination
8	7/8/09	CC Development Services	Affidavit of Mailing Public Notice
9	7/8/09	CC Development Services	Notice of Development Review Application (Type III) and Public Hearing
10	7/21/09	SW Clean Air Agency	Agency Comments
11	7/22/09	Doug Boheman, PW	Comments Re: Arterial Atlas

EXHIBIT NO.	DATE	SUBMITTED BY	DESCRIPTION
12	7/23/09	Jeff & Jennifer Mathena	Public Comments
13	7/28/09	CC Development Services	Early Issues Re: Road Easement
14	8/10/09	Applicant – Chris Avery	Revised Plat and Narrative
15	8/11/09	CC Development Services	Notice of Public Hearing for Sept 10, 2009
16	8/12/09	CC Development Services	Fire Marshal Review
17	8/20/09	CC Community Planning	Road easement
18	8/10/09	Applicant – Chris Avery	Notice Posting
19	8/26/09	CC Development Services	Type III Development & Environmental Review, Staff Report & Recommendation

Copies of these exhibits can be viewed at:

Department of Community Development / Planning Division
1300 Franklin Street
Vancouver, WA 98666-9810